

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD., Plaintiff,	)	
v.	)	
SAREPTA THERAPEUTICS, INC.,	)	C.A. No. 21-1015 (GBW)
Defendant.	)	
	)	
SAREPTA THERAPEUTICS, INC.,	)	
Defendant and Counter-Plaintiff, and	)	
UNIVERSITY OF WESTERN	)	
AUSTRALIA, Counter-Plaintiff	)	
v.	)	
NIPPON SHINYAKU CO., LTD., Plaintiff	)	
and Counter-Defendant and	)	
NS PHARMA, INC., Counter-Defendant.	)	

**NIPPON SHINYAKU CO., LTD. AND NS PHARMA, INC.’S MOTION TO COMPEL**

Nippon Shinyaku Co., Ltd. and NS Pharma, Inc. (collectively, “Nippon Shinyaku”) hereby move the Special Master to compel (1) Sarepta Therapeutics, Inc. (“Sarepta”) to produce corporate designee(s) to testify regarding Topics 67 and 93 of Nippon Shinyaku’s 30(b)(6) Notice to Sarepta; (2) Sarepta to produce information sufficient to show the relative amount of free drug it provides for the accused product, Vyondys53, as compared with its other exon-skipping products, Exondys51 and Amondys45; (3) the University of Western Australia (“UWA”) to produce non-privileged documents responsive to Nippon Shinyaku’s Requests for Production and disclose to Nippon Shinyaku any search terms used to locate responsive documents; and (4) UWA to produce corporate designee(s) to testify in Delaware regarding Topics 9, 13, 14, 16, 21, 24, 25, 26, 27, 29, 31, 32, 33, 34, 40, 41, 43, 44, 45, 46, 47, 48, 50, 51, 52, 57, 58, and 59 of Nippon Shinyaku’s 30(b)(6) Notice to UWA.

The reasons for the instant Motion are set forth in the accompanying letter brief in support, which is incorporated herein by reference.

August 15, 2023

Respectfully submitted,

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